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NORTHERN DISTRICT OF CALIFORNIA

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Attorneys for Plaintiff-in-Interpleader
Primerica Life Insurance Company, formerly
known as Massachusetts Indemnity and Life
Insurance Company

EMC

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

PRIMERICA LIFE INSURANCE
COMPANY, formerly known as
MASSACHUSETTS INDEMNITY
AND LIFE INSURANCE COMPANY,

Plaintiff-in-Interpleader,

vs.

FRANCES J. VIRAY; MARLOWE
VIRAY, DJARON VIRAY,
KATREILLA VIRAY, a minor,
RAILLAN VIRAY, a minor; and DOES
1 through 20, inclusive,

Defendants-in-Interpleader.

CASE NO.:

**[PROPOSED] ORDER DIRECTING
DEPOSIT OF STAKE**

[FRCP Rule 22]


[Filed concurrently with Complaint-in-
Interpleader, Notice of Deposit of Funds
in Court Registry, Disclosure Statement
and Notice of Interested Parties]

1 Based upon the Complaint-In-Interpleader and Notice of Deposit of Funds
2 into Court Registry, leave is hereby granted for Plaintiff-in-Interpleader Primerica
3 Life Insurance Company, formerly known as Massachusetts Indemnity and Life
4 Insurance Company ("Primerica"), to deposit with the Court Clerk check number
5 568775 in the amount of two hundred sixteen thousand four hundred ninety-three
6 dollars and fifteen cents (\$ 216,493.15), made payable to "Clerk of the United States
7 Court for the Northern District of California," which represents that total amount of
8 the disputed funds.

9 IT IS ORDERED that Primerica deposit with the Court Clerk the afore-
10 stated check made payable to "Clerk of the United States Court for the Northern
11 District of California," totaling two hundred sixteen thousand four hundred ninety-
12 three dollars and fifteen cents (\$ 216,493.15), representing the life insurance benefits
13 owed under the Deceased's (Donald R. Viray's), life insurance policy number
14 0420778112, plus interest credited from the date of death (May 19, 2006).

15
16 IT IS SO ORDERED.

17
18 DATE: September 22, 2008

19 By: 
MAGISTRATE JUDGE OF THE DISTRICT COURT
EDWARD M. CHEN

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is: Barger & Wolen LLP, 633 West Fifth Street, 47th Floor, Los Angeles, California 90071-2043.

On **September 17, 2008**, I served the foregoing document(s) described as:

[PROPOSED] ORDER DIRECTING DEPOSIT OF STAKE

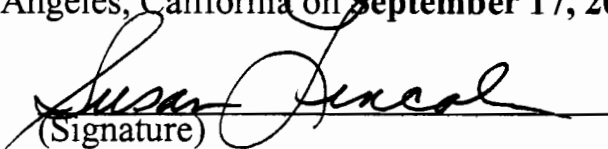
on the interested parties in this action by placing ☐ the original ☒ a true copy thereof enclosed in sealed envelope addressed as stated in the attached mailing list.

☒ **BY MAIL**

☒ I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postage cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☒ **(FEDERAL)** I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made. Executed at Los Angeles, California on **September 17, 2008**.

NAME: Susan Lincoln


(Signature)

SERVICE LIST
Primerica Life Insurance Company v. Viray
 USDC Case No.:

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James D. Frangos, Esq. Law Offices of James D. Frangos 411 Borel Avenue, Suite 500 San Mateo, CA 94402 Tel.: (650) 571-6035 Fax: (650) 345-9875	Attorney for Defendants-in-Interpleader Marlowe Viray, Djaron Viray, Katreilla Viray, a minor; Raillan Viray, a minor